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**Attorneys for Plaintiff, ASIS INTERNET SERVICES**

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

| | |
|---|---|
| **ASIS INTERNET SERVICES, a California corporation,**<br><br>**Plaintiff,**<br>**vs.**<br><br>**IMARKETING CONSULTANTS, INC., dba ULTRA-MX.COM, also dba SPEED NETWORK, also dba SPEED-MX.COM, and DOES ONE through FIFTY, inclusive,**<br><br>**Defendants.** | **Case No. C-07-5357 CW**<br><br>**COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF – VIOLATION OF CAN-SPAM ACT OF 2003 [15 *U.S.C.* § 7701, *et seq.*]**<br><br>**DEMAND FOR JURY TRIAL** |

**Plaintiff, ASIS INTERNET SERVICES, a California corporation,** and an Internet Access Provider, complains of Defendants **IMARKETING CONSULTANTS, INC., dba ULTRA-MX.COM, also dba SPEED NETWORK, also dba SPEED-MX.COM, and DOES ONE through FIFTY, inclusive,** and alleges violations of ***CAN-SPAM Act,* 15 *U.S.C.* § 7704(a) and (b)** and requests injunctive relief, statutory damages, aggravated damages, and attorney fees authorized as remedies under **15 *U.S.C.* § 7706(g)**.

## JURISDICTION AND VENUE

1. This Court has original jurisdiction of this action pursuant to **28 *U.S.C.* § 1331** for violations of the ***CAN-SPAM Act of 2003* (15 *U.S.C.* §§ 7701 et seq.)**. This Court also has original jurisdiction under **15 *U.S.C.* § 7706(g)(1)** for cases involving a civil action by an **internet access provider** adversely affected by a violation of section **15 *U.S.C.* § 7704(a)(1),**

**15 *U.S.C.* § 7704(b), or 15 *U.S.C.* § 7704(d)**, or a pattern or practice that violates paragraphs **(2), (3), (4), or (5) of section 15 *U.S.C.* § 7704(a).**

2. This Court has personal jurisdiction over Defendants **IMARKETING CONSULTANTS, INC.,** who maintain offices in Delray Beach, Florida. Plaintiff believes and is informed and therefore alleges that the other **dba's** named in this suit are copyrighted names, service marks or domain names owned by **IMARKETING CONSULTANTS, INC.**

3. Plaintiff received **1,225** Commercial Electronic Mail Messages, emails, from various email accounts using the domain name **"ultra-mx.com"** (See Exhibit "A" attached hereto for examples of the emails and the source code of the emails). These emails were sent using the **"ultra-mx.com"** domain name. These emails are unsolicited commercial advertisements. Plaintiff cannot identify the sender of the email with absolute certainty because the emails were sent with the domain name **"ultra-mx.com"**. (See Exhibit "A" for a sample of the emails). The **"ultra-mx.com"** domain name was registered using a proxy service, Domains by Proxy, Inc. (See Exhibit "B" attached hereto for WHOIS report on the domain name registration of **ultra-mx.com**). Domains by Proxy, Inc. is a service offering private domain name registration that conceals the identity of the registrant. Plaintiff can only discover the ultimate identity of the true sender through a subpoena. (See Exhibit "C" attached hereto for Advertisements for Domain by Proxy and its *Civil Subpoena Policy*.) However, the sender of the emails calling themselves **"Speed Network"** state their address is "1300 NW 17th Avenue, Ste 218, Delray Beach, FL 33445". (See Exhibit "A" and the email "Postal opt-out" at the bottom of the emails). The address of Defendant **IMARKETING CONSULTANTS, INC.,** as stated in the **IMARKETING CONSULTANTS, INC.,** annual report filed with the Secretary of State of Florida is "1200 NW 17th Avenue, Suite 1, Delray Beach, FL 33445" (See Exhibit "D" attached hereto). The address listed as the corporate offices of **IMARKETING CONSULTANTS, INC.**, on their web site is "1300 NW 17th Avenue, Ste 218, Delray Beach, FL 33445" (See Exhibit "E" attached hereto).

4. An investigation of the source IP addresses for these emails indicates that they were sent from servers owned by MCI Communications. (See the source code of the emails

for the source IP's in Exhibit "A"). Further investigation indicates that the MCI customer for the source servers is **IMARKETING CONSULTANTS, INC.** (See Exhibit F for the detailed network report on ownership of IP address: 65.240.228.67).

5. Therefore, there is good evidence to support Plaintiff's allegation that **IMARKETING CONSULTANTS, INC.** is the sender of the emails.

6. Defendants have purposely availed themselves of the privileges of conducting activities in the forum, the emails are the subject of the action, and exercise of jurisdiction is reasonable since Defendants should have known that they would be subject to the jurisdiction and laws of the forum when commercial emails were sent to email accounts at a Northern California Internet Access Provider. ***Aitken v. Communications Workers of America***, 496 F.Supp.2d 653 at 659 (E.D.Va.,2007); ***Verizon Online Services, Inc. v. Ralsky***, 203 F.Supp.2d 601 at 611 - 620 (E.D.Va.,2002); and ***Internet Doorway, Inc. v. Parks***, 138 F.Supp.2d 773 at 779 - 780 (S.D.Miss.,2001). Therefore, Plaintiff has factual support and good reason to believe the emails were sent by Defendant **IMARKETING CONSULTANTS, INC.**, and the court therefore has specific personal jurisdiction over the Defendants.

7. Venue is proper in this Court pursuant to **28 *U.S.C.* § 1391(b)** and is founded on the fact that a substantial part of the unlawful actions of the defendants occurred in this judicial district.

## FACTUAL ALLEGATIONS

8. Plaintiff is informed and believes and therefore alleges that Defendant **IMARKETING CONSULTANTS, INC.**, is a Florida Corporation registered with the Secretary of State of Florida to do business in Florida with agent for service in Florida. (see Exhibit "D").

9. Plaintiff is informed and believes and therefore alleges that Defendants **ULTRA-MX.COM, SPEED-MX.COM, and SPEED NETWORK** are aliases, agents, service marks, brand names, or domain names for Defendant **IMARKETING CONSULTANTS, INC.**

10. Plaintiff **ASIS INTERNET SERVICES (hereafter "ASIS)** does not know the true names and capacities of defendants **IMARKETING CONSULTANTS, INC., dba ULTRA-MX.COM, also dba SPEED NETWORK, also dba SPEED-MX.COM, and DOES ONE**

**through FIFTY, inclusive,**, their business capacities, their ownership connection to the business(es), nor their relative responsibilities in causing the ***CAN-SPAM Act of 2003*** and other violations herein complained of, and alleges a joint venture and common enterprise by all such defendants. Plaintiff is informed and believes and therefore alleges that each of the defendants herein, including DOES ONE to FIFTY, inclusive, is the agent, ostensible agent, master, servant, employer, employee, representative, franchiser, franchisee, joint venturer, partner, and associate, or such similar capacity, of each of the other defendants, and was at all times acting and performing, or failing to act or perform, with the authorization, consent, permission or ratification of each of the other defendants, and is responsible in some manner for the acts and omissions of the other defendants in legally causing the violations and damages complained of herein, and have approved or ratified each of the acts or omissions of each other defendant, as herein described. Plaintiff will seek leave to amend this Complaint when the true names, capacities, connections and responsibilities of defendants **IMARKETING CONSULTANTS, INC., dba ULTRA-MX.COM, also dba SPEED NETWORK, also dba SPEED-MX.COM, and DOES ONE through FIFTY, inclusive,**, are ascertained.

11. Plaintiff is informed and believes and alleges that all named defendants, including **DOES ONE to FIFTY, inclusive**, conspired to commit the acts described herein, or alternatively, aided and abetted one another in the performance of the wrongful acts hereinafter alleged.

12. Plaintiff **ASIS** is a California corporation registered to do business in California and is located in Garberville, California. **ASIS** provides Internet access service within the meaning of **15 *U.S.C.* § 7702(11)**.

13. Plaintiff alleges that Defendants sent or caused to have sent **1,225** commercial electronic mail messages from **May 10, 2007, through September 4, 2007**, to Plaintiff's server, a protected computer, containing, and/or accompanied by, header information that was materially false or materially misleading.

14. Plaintiff states that the email accounts that the **1,225** commercial emails were sent to did not solicit the emails. These emails were unsolicited because they were sent to

unassigned or inactive email accounts owned by **ASIS**. **ASIS** did not solicit any product, service, or information from any entity using these email accounts.

15. Plaintiff is informed and believes and therefore alleges that Defendants used a harvest and directory attack to acquire Plaintiff's and Plaintiff's customers email accounts to send **1,225** commercial electronic mail messages to Plaintiff's protected computer. All of the email accounts receiving the emails are not active and belong to Plaintiff **ASIS**. Since **ASIS** nor its customers did not actively use these email accounts, they could only have been discovered by directory harvest or other illegal means.

16. Plaintiff is informed and believes and therefore alleges that Defendants used an automated creation of multiple email accounts to send **1,225** commercial electronic mail messages to a Plaintiff's protected computer. Each of the emails was sent from an email account using the advertiser of the emails name as the first portion of the email account name, followed by various sub-domain names and the primary domain name of "**ultra-mx.com**". (See Exhibit "A" for samples). This indicates the email accounts were generated programmatically using a database of information containing the advertisers identities.

**FIRST CAUSE OF ACTION**
**(Violation of CAN-SPAM Act of 2003 – 15 *U.S.C.* §7704(a)(1), and 15 *U.S.C.* §7704(b)(1) and (2))**

17. Plaintiff refers to the allegations of the preceding paragraphs 1-16 of this complaint, and incorporates the same herein by this reference as though set forth in full.

18. On **May 10, 2007, through September 4, 2007**, Plaintiff received **1,225** commercial electronic mail messages from defendants to its mail server located in California that violated the ***CAN-SPAM Act of 2003***.

19. Plaintiff alleges that all of the relevant electronic mails sent by the Defendants on **May 10, 2007, through September 4, 2007**, contained or were accompanied by header information that was materially false or materially misleading. Each of these **1,225** messages indicated that they were from email accounts such as "Sunvest Communities USA," "princetonpremierbios," "Atlanta, GA," or various other unknown identities. These false email names resolved into emails sent by various person or persons unknown (e,g,

SunvestCommunitiesUSA to SunvestCommunitiesUSA@mx03.ultra-mx.com, Princetonpremierbios to Princetonpremierbios@mx01.ultra-mx.com, and AtlantaGA to AtlantaGA@mx03.ultra-mx.com). See sample emails and source code in Exhibit "A" attached hereto. (Note that all receiving email accounts have been redacted, while these email all represent inactive email accounts they are still the property of **ASIS Internet Services** and are protected by **ASIS**'s corporate privilege.) A WHOIS check of the domain name registration for **ultra-mx.com** indicates that the domain name was registered under a protection service. See the WHOIS report for **ultra-mx.com** in Exhibit "B." Plaintiff has reviewed the Domain Name registration for all of the emails received as **ultra-mx.com** and determined that it is registered under a service that conceals the true identity of the domain name registrant through a proxy service. The true registrant for **ultra-mx.com** cannot be determined without a subpoena. See Exhibit "C" attached hereto. **15 *U.S.C.* §7704(a)(1)(A)** states:

> "(A) header information that is technically accurate but includes an originating electronic mail address, domain name, or Internet Protocol address the access to which for purposes of initiating the message was obtained by means of false or fraudulent pretenses or representations shall be considered materially misleading.

**15 *U.S.C.* §7704(a)(6)** states:

> "the term "materially", when used with respect to false or misleading header information, includes the alteration or concealment of header information in a manner that would impair the ability of an Internet access service processing the message on behalf of a recipient, a person alleging a violation of this section, or a law enforcement agency to identify, locate, or respond to a person who initiated the electronic mail message or to investigate the alleged violation..."

Therefore, since false information was used to generate the domain names and/or domain names were concealed from investigation through a proxy services, the electronic mail messages violated **15 *U.S.C.* §7704(a)(1)(A)**.

20. Plaintiff further alleges that it received **1,225** separate items of electronic mail from the Defendants to email addresses that were inactive and did not solicit email correspondence.

21. Plaintiff is informed and believes and therefore alleges that the Defendants sent or had sent **1,225** separate items of electronic mail to Plaintiff's computer that were acquired as the result of a directory harvest. Said conduct was in violation of **15 *U.S.C.* §7704(b)(1)**.

22. Plaintiff is informed and believes and therefore alleges that the defendants sent or had sent **1,225** separate items of electronic mail to the plaintiff, from addresses that were acquired by the use of automated tools or scripts. Said conduct was in violation of **15 *U.S.C.* §7704(b)(2)**.

23. As a proximate result of said unlawful conduct by said Defendants, Plaintiff is entitled to statutory damages in the amount of up to $100.00 per email in the case of violation of **15 *U.S.C.* §7704(a)(1)** in the form of statutory damages as set forth in **15 *U.S.C.* §7706(g)(1)(B)(ii) and (3)(A)(i)**.

24. As a proximate result of said unlawful conduct by said defendants, Plaintiff is entitled to treble all statutory damages as a result of violation of any section of **15 *U.S.C.* §7704(b)** as set forth in **15 *U.S.C.* §7706(g)(1)(C)**.

25. Plaintiff furthermore seeks a preliminary and permanent injunction against the defendants for their current and future violations of the ***CAN-SPAM Act of 2003*** as Plaintiff and members of the general public will continue to incur damages as a result of the unlawful conduct of said defendants. The seeking of injunctive relief by the plaintiff is specifically authorized by **15 *U.S.C.* §7706(g)(1)(A)**.

26. Plaintiff furthermore seeks its attorney fees and costs against the defendants pursuant to **15 *U.S.C.* §7706(g)(4)**.

**WHEREFORE**, plaintiff prays judgment against the defendants and each of them as follows:

1. For statutory damages of up to $100.00 for each violation of **15 *U.S.C.* §7704(a)(1)** in the sum of **$122,500.00**;

2. For aggravated damages under **15 *U.S.C.* §7706(g)(1)(C)** of up to three times the amount above for these violations committed by the defendants' violations of **15 *U.S.C.* §7704(b)** in the sum of **$367,500.00**;

3. For a preliminary and permanent injunction preventing the defendants and all persons acting in concert with them from the violation of the ***Can-Spam Act of 2003***;

4. For an award of reasonable attorneys' fees and costs according to proof;

5. For costs of suit; and

6. For such other and further relief as this Courts deems just and proper.

**SINGLETON LAW GROUP**

Dated: October 17, 2007

Jason K. Singleton
Richard E. Grabowski,
Attorneys for Plaintiff, **ASIS INTERNET SERVICES**

**REQUEST FOR JURY TRIAL**

Plaintiff hereby requests a jury for all claims for which a jury is permitted.

**SINGLETON LAW GROUP**

Dated: October 17, 2007

Jason K. Singleton
Richard E. Grabowski
Attorneys for Plaintiff, **ASIS INTERNET SERVICES**

**From:** "Sunvest Communities USA" <SunvestCommunitiesUSA@mx04.ultra-mx.com>
**To:** [redacted]@asis.com>
**Sent:** Wednesday, May 30, 2007 5:07 PM
**Subject:** Omar Perius New Millionaire Wealth Building Boot Camp June 23 & June 24

OMAR PERIU's

# New Millionaire Wea=th Building

## Boot Camp together with at the

Hilto= Los Angeles Airport Hotel
Saturday, June 23, 2007 - 8:30am - 6:00pm
Sunday, June 24, 2007 - 8:30am - 6:00pm

We'll be Introducing You to A=azing Properties
in Florida, Las Vegas, Colorado and Arizona!
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Seller Concessions of up to 15%
1 Year HOA Free
1 Year Home Warranty Free
Developer Fee Waived
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**(954) 239-4200**

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2. Mission, Purpose-driven Life & Outrageous goals
3. Understanding wealth from vision to acquisition
4. Strategic planning to make dreams reality
5. How you can become wealthy using multiple streams of income=br />

EXHIBIT "A"

# Don't miss out on this Great opportunity!

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*Investigative Selling* and
*From Management to Leadersh=p*

Event Location:
**Hilton Los Angeles Airport Hotel**
**5711 W. Century Blvd.**
**Los Angeles, CA 90045**
For room reservations
Call: (310) 410-6190

<=a>

Matthew Krac & Omar Periu

Developed by:

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This message was sent to you as an opt-in subscriber to Th= Speed Network or one of its affiliates.
We will continue to bring you valuable offers on the produ=ts and services that interest you most. If you wish to unsubs=ribe, please Click Here

Postal opt-out - 1300 NW 17th avenue Ste 218 Delray Beac= FL 33445

Return-Path: <SunvestCommunitiesUSA@mx04.ultra-mx.com>
Received: from [206.152.12.52]
by 64.18.4.10;
Wed, 30 May 2007 17:07:52 -0700
Received: from source ([65.240.228.68]) by exprod5mx124.postini.com ([64.18.4.10]) with SMTP;
Wed, 30 May 2007 19:11:29 EDT
Received: from psmtp.com (exprod5mx124.postini.com [64.18.0.38])
by red.asis.com (8.13.6/8.13.6) with SMTP id l4UNDLaP089882
for <[redacted]@asis.com>; Wed, 30 May 2007 16:13:21 -0700 (PDT)
(envelope-from SunvestCommunitiesUSA@mx04.ultra-mx.com)
Message-ID: <u5aan-o27e48j-2-v@ijf24f17>
Date: Wed, 30 May 2007 17:07:52 -0700
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Reply-To: "Sunvest Communities USA" <SunvestCommunitiesUSA@mx04.ultra-mx.com>
To: <[redacted]@asis.com>
Subject: Omar Perius New Millionaire Wealth Building Boot Camp June 23 & June 24
MIME-Version: 1.0
Content-Type: multipart/alternative;
boundary="5FC4BE__C3.5_B25B3___"
X-Mailer: Microsoft Outlook Express 6.00.2600.0000
X-Priority: 3
X-pstn-levels: (S: 0.00000/31.69596 R:95.9108 P:95.9108 M:95.5423 C:98.6951 )
X-pstn-settings: 3 (1.0000:1.0000) S gt3 gt2 gt1 r p m c
X-pstn-addresses: from <SunvestCommunitiesUSA@mx04.ultra-mx.com> [30/1]
X-Virus-Scanned: ClamAV 0.90.2/3333/Wed ~~May 30 07~~:42:37 2007 on red.asis.com
X-Virus-Status: Clean
--5FC4BE__C3.5_B25B3___
Content-Type: text/html;
Content-Transfer-Encoding: quoted-printable

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<font style=3D"font-weight:bold; font-size:33px">New Millionaire Wea=
lth Building<br />
Boot Camp</font> together with <img src=3D"http://realvite.com/proje=
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n Los Angeles Airport Hotel<br />
Saturday, June 23, 2007 - 8:30am - 6:00pm<br />
Sunday, June 24, 2007 - 8:30am - 6:00pm </td>
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mazing Properties<br />
in Florida, Las Vegas, Colorado and Arizona!<br />
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               <td>Seller Concessions of up to 15%</td>
              </tr>
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              </tr>
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               <td>1 Year Home Warranty Free</td>
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/20070525/images/tick.gif" width=3D"9" height=3D"9" /></td>
               <td>Developer Fee Waived</td>
              </tr>
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               <td>&amp;nbsp;</td>
               <td align=3D"center">Plus Other Great <br />
                Incentives!</td>
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:repeat-x; font-family: Trebuchet MS, 'Times New Roman', Times, serif; fon=
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             <strong>(954) 239-4200</strong></td>
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ze:11px; color:#FFFFFF" align=3D"center" valign=3D"middle">
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/author.jpg" width=3D"99" height=3D"117" /><br />
        Author of Best Selling Books,<em> <br />
        Investigative Selling</em> and<em> From Management to Leadersh=
ip </em><br />
        <br />
        <img src=3D"http://realvite.com/projects/sunvest/20070525/imag=
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        Matthew Krac &amp;amp; Omar Periu</td>
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serif; font-size:18px">During This Weekend Only, You'll Learn:</font><br /=
>
        1. How to Create Massive amount of wealth<br />
        2. Mission, Purpose-driven Life &amp;amp; Outrageous goals<br />
        3. Understanding wealth from vision to acquisition<br />
        4. Strategic planning to make dreams reality<br />
        5. How you can become wealthy using multiple streams of income=
<br />
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 #fabf25">Don't miss out on this<br />
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            5711 W. Century Blvd.<br />
            Los Angeles, CA 90045</strong><br />
            <font style=3D"color:#FFFFFF">For room reservations <br =
/>
            Call: (310) 410-6190</font></td>
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/a></td>
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         <img src=3D"http://realvite.com/projects/sunvest/20070525/imag=
es/sunvestlogo.gif" width=3D"91" height=3D"52" /> </td>
        <td  >This incentive offer is valid only with sellers preferred =
lender. Prices and Terms subject to change. Other restrictions may apply. =
Based on new contracts only written after 5/4/07, non-retroactive. Oral re=
presentations cannot be relied upon as correctly stating representations o=
f the developer, for the correct representations of the developer, make re=
ference to documents required by section 718.503. Florida Statues to be fu=
mished by a developer to a buyer or lesee. We are pledged to the letter an=
d spirit of U.S. marketing program in which there are no barriers to obtai=
ning housing because of race, color, religion, sex, handicap, fmilial stat=
us, or national origin.
        <p> </p>
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       </tr>
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            <font style=3D"FONT-FAMILY: Verdana, Arial, Helvetica, san=
s-serif" size=3D"1">
            This message was sent to you as an opt-in subscriber to Th=
e
            Speed Network or one of its affiliates. <br>
            We will continue to bring you valuable offers on the produ=
cts
            and services that interest you most. If you wish to unsubs=
cribe,
            please
            <a style=3D"PADDING-RIGHT: 0px; DISPLAY: inline; PADDING-L=
EFT: 0px; PADDING-BOTTOM: 0px; MARGIN: 0px; COLOR: #fffbf0; PADDING-TOP: 0=
px; FONT-FAMILY: 'Trebuchet MS', Arial; TEXT-DECORATION: none" href=3D"htt=
p://rmspeed-mx.com/rem.html">
            <font color=3D"#000000">Click Here</font></a></font></p>
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AMILY: verdana, sans-serif">
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              <font style=3D"LINE-HEIGHT: 1.35em; FONT-FAMILY: Verdana=
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              Postal opt-out - 1300 NW 17th avenue Ste 218 Delray Beac=
h FL
              33445</font></div>
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</html>
--5FC4BE__C3.5_B25B3___--
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**From:** "princetonpremierbios" <princetonpremierbios@mx01.ultra-mx.com>
**To:** [redacted]@asis.com>
**Sent:** Wednesday, August 29, 2007 4:20 PM
**Subject:** Your Recent Princeton Premier Nomination

Dear Friend

=/font>

You were rece=tly appointed as a biographical candidate to represent your industry in the Princeton Premier Business Leaders and Professionals, and for inclusion i=to the upcoming 2007-2008 "Honors Edition" of the registry.

We are pleased to inform you that on August 27th, your candidacy was approved. Your confirmation for inclusion will be effective within five business days, pending our receipt of the enclosed application.

The Office of=the Managing Director appoints individuals based on a candidate's current position, and usually with information obtained from researched executive= and professional listings. The director thinks you may make an interestin= biographical subject, as individual achievement is what Princeton Premier=is all about. Upon final confirmation you will be listed among thousands of = accomplished individuals in the Princeton Premier Registry. There is no c=st to be included.

We do require= additional information to complete the selection process and kindly ask t=at you access this form on our website at:

http://fd2.formdesk.com/princetonglobalnetworkl/apply

=/font>

Or you can manually enter this address into your web browser:

=/font>

http://fd2.formdesk.com/p=incetonglobalnetworkl/apply

=/font>

=/font>

Sincerely,

Jason Harris

Managing Dire=tor

<=p>

Return-Path: <princetonpremierbios@mx01.ultra-mx.com>
Received: from [158.69.188.71] by 64.18.4.11 id s12xU5Iu2cBr; Thu, 30 Aug 2007 00:20:31 +0100
Received: from source ([65.240.228.65]) by exprod5mx211.postini.com ([64.18.4.11]) with SMTP;
Wed, 29 Aug 2007 18:29:44 EDT
Received: from psmtp.com (exprod5mx211.postini.com [64.18.0.70])
by mail.asis.com (Postfix) with SMTP id 4F4645EBE
for <[redacted]@asis.com>; Wed, 29 Aug 2007 15:32:37 -0700 (PDT)
Received: from mail.asis.com (localhost.asis.com [127.0.0.1])
by mail.asis.com (Postfix) with ESMTP id 4A2A35EBF
for <[redacted]@asis.com>; Wed, 29 Aug 2007 15:32:38 -0700 (PDT)
Message-ID: <z$7$cbt-6x94q25-7@a5b.m8>
Date: Thu, 30 Aug 2007 00:20:31 +0100
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To: <[redacted]@asis.com>
Subject: Your Recent Princeton Premier Nomination
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X-Priority: 3
X-pstn-levels: (S: 0.00000/95.53476 R:95.9108 P:95.9108 M:97.0282 C:98.6951 )
X-pstn-settings: 3 (1.0000:1.0000) s gt3 gt2 gt1 r p m c
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--5AA5B94_F.652.39
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Content-Transfer-Encoding: quoted-printable

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<HTML>

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span></font></p>
        <p class=3D"MsoNormal" style=3D"MARGIN-LEFT: 0.5in">
        <font face=3D"Courier New" size=3D"2">
        <span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'"> </span>=
</font></p>
        <p class=3D"MsoNormal" style=3D"MARGIN-LEFT: 0.5in">
        <font face=3D"Courier New" size=3D"2">
        <span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'">You were rece=
ntly
        appointed as a biographical candidate to represent your industry in the
        Princeton Premier Business Leaders and Professionals, and for inclusion i=
nto
        the upcoming 2007-2008 &amp;quot;Honors Edition&amp;quot; of the registry. <br>
        <br>
        We are pleased to inform you that on August 27th, your candidacy was
        approved. Your confirmation for inclusion will be effective within five
        business days, pending our receipt of the enclosed application. </sp=
an></font></p>
        <p class=3D"MsoNormal" style=3D"MARGIN-LEFT: 0.5in">
        <font face=3D"Courier New" size=3D"2">
        <span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'">The Office of=
 the
        Managing Director appoints individuals based on a candidate's current
        position, and usually with information obtained from researched executive=

        and professional listings. The director thinks you may make an interestin=
g
        biographical subject, as individual achievement is what Princeton Premier=
 is
        all about. Upon final confirmation you will be listed among thousands of =

        accomplished individuals in the Princeton Premier Registry. There is no c=
ost
        to be included.</span></font></p>
        <p class=3D"MsoNormal" style=3D"MARGIN-LEFT: 0.5in">
        <font face=3D"Courier New" size=3D"2">
        <span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'">We do require=

        additional information to complete the selection process and kindly ask t=
```

hat
you access this form on our website at:</font></p>
<p class=3D"MsoNormal" style=3D"MARGIN-LEFT: 0.5in">
<font face=3D"Courier New" size=3D"2">
<span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'">
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style=3D=
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http://fd2.formdesk.com/princetonglobalnetwork1/apply</a></font></=
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<p class=3D"MsoNormal" style=3D"MARGIN-LEFT: 0.5in">
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<span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'"> =
</font></p>
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<font face=3D"Courier New" size=3D"2">
<span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'">Or you can
manually enter this address into your web browser:</font></p>
<p class=3D"MsoNormal" style=3D"MARGIN-LEFT: 0.5in">
<font face=3D"Courier New" size=3D"2">
<span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'"> =
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<span style=3D"font-family: Courier New">h</font></a><font =
face=3D"Courier New" size=3D"2"><span style=3D"FONT-SIZE: 10pt; FONT-FAMIL=
Y: 'Courier New'"><a title=3D"http://fd2.formdesk.com/princetonglobalnetwo=
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//fd2.formdesk.com/princetonglobalnetwork1/apply">ttp://fd2.formdesk.com/p=
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<span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'">Sincerely,</s=
pan></font></p>
<p class=3D"MsoNormal" style=3D"MARGIN-LEFT: 0.5in"><font size=3D"2">

<span style=3D"font-family: Courier New">J</font><font face=3D"Cou=
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New'">ason
Harris</font>
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<font face=3D"Courier New" size=3D"2">
<span style=3D"FONT-SIZE: 10pt; FONT-FAMILY: 'Courier New'">Managing Dire=
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pan></font>
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</html>

--5AA5B94_F.652.39--

**From:** "Atlanta, GA" <AtlantaGA@mx03.ultra-mx.com>
**To:** [redacted]@asis.com>
**Sent:** Friday, June 08, 2007 3:04 PM
**Subject:** The National Black Arts Festival: Guess Whos Going to Atlanta This July

Register to Wi= a Cultural Getaway for Two to the National Black Arts Festival in Atlanta.

Find yourself in Atlanta =uly 20-29, 2007 for the annual National Black Arts Festival.

**Featuring:**
**Jennifer Holliday** in ***Dream=irls***
Pulitzer Prize winning playwright **Suzan-Lo=i Parks**
Poet **Sekou Sundiata**
The Pan African Film Festival with **Danny Glover=/strong>, Alfre Woodard and Pearl Cleage**
**Legends Celebration: An Evening with Roberta F=ack**
**Creative Outlet Dance Theatre of Brooklyn**
**South African jazz pianist, Abdullah Ibrahim<=r /> *Ceremonies in Dark Old Men and Emergence-SEE Kenny Leon***
***The Atlanta Symphony Orchestra=/strong> at Historic Ebenezer Baptist Church***
***The Official Artists' Market at Greenbria= Mall and The International Vendor Marketplace =t Atlantic Station***
***Visit www.NBAF.org for more information on these and other festival e=ents***

***Register to Win a =ultural Getaway for Two to the National Black Arts Festival in Atlanta.***

***The Prize Package Includes:***
- ***Two Round-trip Tickets to Atlanta on AirTran Air=ays***
- ***A Two Night Weekend Stay at an Atlanta Hotel***
- ***Two Tickets to the Jimmy Carter Presidential Library***

= • ***Dinner for Two at SAGA Restaurant***

***Sign up for updates and specials from Atlanta.***

=

***Visit our Website.***

This message was sent to you as an opt-in subscriber to The Speed Network or =ne of its affiliates.
We will continue to bring you valuable offers on the products and servic=s that interest you most. If you wish to unsubscribe, please Click Here

Postal opt-out - 1300 NW 17th avenue Ste 218 Delray Beach FL 33445

Return-Path: <AtlantaGA@mx03.ultra-mx.com>
Received: from [40.75.167.85]
by 64.18.4.10 SMTP id 20nOUfQWCe7l9h;
Fri, 08 Jun 2007 17:04:16 -0500
Received: from source ([65.240.228.67]) by exprod5mx151.postini.com ([64.18.4.10]) with SMTP;
Fri, 08 Jun 2007 14:05:52 PDT
Received: from psmtp.com (exprod5mx151.postini.com [64.18.0.220])
by red.asis.com (8.13.6/8.13.6) with SMTP id l58L7jp9049623
for <[redacted]@asis.com>; Fri, 8 Jun 2007 14:07:46 -0700 (PDT)
(envelope-from AtlantaGA@mx03.ultra-mx.com)
Message-ID: <63-2$19j-hy6ndl3sk@k7k504p5.al2s>
Date: Fri, 08 Jun 2007 17:04:16 -0500
From: "Atlanta, GA" <AtlantaGA@mx03.ultra-mx.com>
Reply-To: "Atlanta, GA" <AtlantaGA@mx03.ultra-mx.com>
To: <[redacted]@asis.com>
Subject: The National Black Arts Festival: Guess Whos Going to Atlanta This July
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X-pstn-settings: 3 (1.0000:1.0000) S gt3 gt2 gt1 r p m c
X-pstn-addresses: from <AtlantaGA@mx03.ultra-mx.com> [30/1]
X-Virus-Scanned: ClamAV 0.90.2/3380/Fri Jun 8 05:34:26 2007 on red.asis.com
X-Virus-Status: Clean

--438CFEE5.13DD.2
Content-Type: text/html;
Content-Transfer-Encoding: quoted-printable

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margin:0px; background-color: #573d1b;

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kground.jpg');
        background-repeat: no-repeat
}
contentfont {
        font-family: Verdana, Arial, Helvetica, sans-serif;
        font-size: 12px;
        color: #FFE6C4;
}
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        font-family: Verdana, Arial, Helvetica, sans-serif;
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        color: #FFE6C4;
        text-decoration: underline;
        font-weight: bold;
}
header {
        font-family: Verdana, Arial, Helvetica, sans-serif;
        font-size: 13px;
        color: #FFE6C4;
        font-weight: bold;
}
header a{
        font-family: Verdana, Arial, Helvetica, sans-serif;
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redfontsmall{
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K/" t=
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</tr>
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ATLANTA_BLACKARTS07/aamsz=3DTEXTLINK/" target=3D"_blank"><u>Register to Wi=
n a Cultural Getaway for Two to
the <br />
National Black Arts Festival in Atlanta.</u></a> </td>
</tr>
<tr>
<td class=3D"header"> </td>
</tr>
<tr>
<td width=3D"539" class=3D"contentfont"> Find yourself in Atlanta =
July 20-29, 2007 for the annual National Black Arts Festival. <br />
<br />
Featuring:<br />
Jennifer Holliday in Dream=
girls<br />
Pulitzer Prize winning playwright Suzan-Lo=
ri Parks<br />
Poet Sekou Sundiata<br />
The Pan African Film Festival with Danny Glover=
, Alfre Woodard and Pearl Cleage<br />
Legends Celebration: An Evening with Roberta F=
lack<br />
Creative Outlet Dance Theatre of Brooklyn<br />
South African jazz pianist, Abdullah Ibrahim<=
br />
Ceremonies in Dark Old Men and Emergence-SEE </em=
>directed by Kenny Leon<br />
The Atlanta Symphony Orchestra=
 at Historic Ebenezer Baptist Church<br /> 
The Official Artists' Market at Greenbria=
r Mall and The International Vendor Marketplace =
at Atlantic Station<br />
Visit <a href=3D"http://network.usdm.net/adclick/CID=3D00001279000=
0000000000000/site=3DATLANTA.NET/area=3DATLANTA_BLACKARTS07/aamsz=3DTE
XTLI=
NK/">www.NBAF.org</a> for more information on these and other festival e=
vents<br />
<br />

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Cultural Getaway for Two to
    the <br />
National Black Arts Festival in Atlanta.</u></a></span><br />
      <br />
      The Prize Package Includes:<br />
      </strong>&bull;  Two Round-trip Tickets to Atlanta  on AirTran Air=
ways <br />
      &bull;  A Two Night Weekend Stay at an Atlanta Hotel <br />
      &bull;  Two Tickets to the Jimmy Carter Presidential Library <br /=
>
      &bull;  Two Tickets to a National Black Arts Festival Event <br />=

      &bull;  Dinner for Two at SAGA Restaurant
      </p>
<p><u><a href=3D"http://network.usdm.net/adclick/CID=3D0000127300000000000=
00000/site=3DATLANTA.NET/area=3DATLANTA_BLACKARTS07/aamsz=3DTEXTLINK/"
tar=
get=3D"_blank">Sign up for updates and  specials from Atlanta.</a></u></p>=

<p><u><a href=3D"http://network.usdm.net/adclick/CID=3D0000127400000000000=
00000/site=3DATLANTA.NET/area=3DATLANTA_BLACKARTS07/aamsz=3DTEXTLINK/"
tar=
get=3D"_blank">Visit our Website.</a></u></p></td>
  </tr>
  <tr>
    <td width=3D"539" class=3D"contentfont"><img src=3D"http://www.atlanta=
net/camp/blackarts07/images/space.gif" width=3D"538" height=3D"77" border=
=3D"0" /></td>
  </tr>
</table>
</body>



<div>
        <font face=3D"Arial" size=3D"2"><span class=3D"500132617-09012007">
        <p align=3D"center"> <i><b> </b></i>
        </p>
        </span></font></div>

</html>
```

```
</html>
 <hr color=3D"#336699" noShade><font face=3D"Arial" size=3D"1">
 <p align=3D"center">
 <font style=3D"FONT-FAMILY: Verdana, Arial, Helvetica, sans-serif"
size=3D=
"1">This
 message was sent to you as an opt-in subscriber to The Speed Network or =
one of
 its affiliates. <br>
 We will continue to bring you valuable offers on the products and servic=
es
 that interest you most. If you wish to unsubscribe, please
 <a style=3D"PADDING-RIGHT: 0px; DISPLAY: inline; PADDING-LEFT: 0px; PADD=
ING-BOTTOM: 0px; MARGIN: 0px; COLOR: #fffbf0; PADDING-TOP: 0px; FONT-FAMIL=
Y: 'Trebuchet MS', Arial; TEXT-DECORATION: none" href=3D"http://rm.speed-m=
x.com/rem.html">
 <font color=3D"#000000">Click Here</font></a></font></p>
 <div style=3D"FONT-WEIGHT: normal; FONT-SIZE: 13px; FONT-FAMILY: verdana=
, sans-serif">
   <p align=3D"center">
   <font style=3D"LINE-HEIGHT: 1.35em; FONT-FAMILY: Verdana, Arial, Helve=
tica, sans-serif" face=3D"MS Sans Serif" size=3D"1">
   Postal opt-out - 1300 NW 17th avenue Ste 218 Delray Beach FL 33445</fo=
nt></div>
 </font><hr color=3D"#336699" noShade>
 <p>
 <font face=3D"Arial" size=3D"2"><span class=3D"500132617-09012007">

</div>
</body>
 </span></font>
</html>

--438CFEE5.13DD.2--
```

DomainTools

# Whois Record for Ultra-mx.com ( Ultra mx )

## Front Page Information

**Website Title:** None given.
**AboutUs:** Wiki article on Ultra-mx.com

## Registry Data

**ICANN Registrar:** GODADDY.COM, INC.
**Created:** 2007-05-01
**Expires:** 2008-05-01
**Registrar Status:** clientDeleteProhibited
**Registrar Status:** clientRenewProhibited
**Registrar Status:** clientTransferProhibited
**Registrar Status:** clientUpdateProhibited
**Name Server:** NS1.SPEED-MX.COM
**Name Server:** NS2.SPEED-MX.COM
**Whois Server:** whois.godaddy.com

## Server Data

**Blacklist Status:** Clear
**Domain Status:** Registered And No Website

## DomainTools Exclusive

**Whois History:** 9 records have been archived since 2007-05-29
**Monitor Domain:** Set Free Alerts on ultra-mx.com
**Free Tool:** Download DomainTools for Windows

## Whois Record

```
Registrant:
   Domains by Proxy, Inc.
   DomainsByProxy.com
   15111 N. Hayden Rd., Ste 160, PMB 353
   Scottsdale, Arizona 85260
   United States

   Registered through: GoDaddy.com, Inc. (http://www.godaddy.com)
   Domain Name: ULTRA-MX.COM
      Created on: 01-May-07
      Expires on: 01-May-08
      Last Updated on:

   Administrative Contact:
      Private, Registration [illegible]
      Domains by Proxy, Inc.
      DomainsByProxy.com
```

## Other TLDs

.com .net .org .biz

## Symbol Key

Available
Available (Previously registered
Registered (Active website)
Registered (Parked or redirecte
Registered (No website)
On-Hold (Generic)
On-Hold (Redemption Period)
On-Hold (Pending Delete)
Monitor
Preview
No preview
Buy this (Available)
Buy this (Bid at auction)

## Customize This Page

Select the items you want to be shown on this page.

☑ Front Page ☑ Indexed De
☑ Server Data ☑ Registry De
☑ Exclusive Data ☑ Whois Rec

## Domains for Sale

**Domain**

UltraMob.com
UltraBay.com
UltraSweet.com
UltraCentre.com
UltraGame.com
UltraHosting.com
UltraServer.com
UltraLogic.com
UltraSites.com
UltraFree.com
UltraTools.com

## Domains At Auction

**Domain**



EXHIBIT "B"

15111 N. Hayden Rd., Ste 160, PMB 353
Scottsdale, Arizona 85260
United States
(480) 624-2599 Fax -- (480) 624-2599

Technical Contact:
Private, Registration [redacted]
Domains by Proxy, Inc.
DomainsByProxy.com
15111 N. Hayden Rd., Ste 160, PMB 353
Scottsdale, Arizona 85260
United States
(480) 624-2599 Fax -- (480) 624-2599

Domain servers in listed order:
NS1.SPEED-MX.COM
NS2.SPEED-MX.COM

| | Dat |
|---|---|
| UltraMalls.com | 10-04- |
| UltraBound.com | 10-04- |
| EExtremeTeam.com | 10-04- |
| TheExtremeSite.com | 10-04- |
| MegaTechJapan.com | 10-04- |
| MegaNewMedia.com | 10-04- |
| SpinUltraLounge.com | 10-04- |
| MegaMillionsBlog.com | 10-04- |
| MegaCarBoot.com | 10-04- |
| TheExtremeTattoos.com | 10-04- |
| HyperYension.com | 10-04- |
| MegaJointventures.com | 10-04- |

**Compare Similar Domains**

| Domain | Creat |
|---|---|
| U Lt R | 1997-07 |
| U Lt Port | 2000-1( |
| U Lt R 4 Zone | 2001-07 |
| U Lt Pro | 2002-05 |
| U Lt Power | 2002-12 |
| U Lt Pp | 2003-02 |
| U Lt Productions | 2003-02 |
| U Lt R - Skin | 2003-11 |
| U Lt R - Mold | 2005-05 |
| U Lt R - A - S Lan | 2005-07 |
| U Lt R - Pro | 2005-11 |
| U Lt R - Pornsta Rs | 2006-04 |
| U Lt R 4 | 2006-07 |
| U Lt Pucho | 2006-07 |
| U Lt Quiz | 2006-09 |

Domains BY PROXY PRIVATE REGISTRATIONS

Your identity is nobody's business but ours®

## Welcome to Domains By Proxy®!

**Display your domain name- not your personal information.**

Did you know that for each domain name you register, anyone - anywhere, anytime - can find out your name, home address, phone number and email address?

The law requires that the personal information you provide with every domain you register be made public in the "WHOIS" database. Your identity becomes instantly available - and vulnerable - to spammers, scammers, prying eyes and worse.

**But now there's a solution: Domains By Proxy®!**

### Getting a Private Registration will:

- Stop domain-related spam
- Deter identity theft & fraud
- Prevent harassers & stalkers
- End data mining
- Protect your family's privacy
- And more!

Public vs. Private
Show the Difference!

DBP testimonials!

Another Great Privacy Product!

Getting an SSL Certificate?

Our cutting-edge spam filter

If you are in law enforcement, click here
For our subpoena policies, click here

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All rights reserved.
U.S. Pat. No. 7,139,878

EXHIBIT "C"

Domains BY PROXY PRIVATE REGISTRATIONS

Your identity is nobody's business but ours®

## Legal Issues

**Agreements:** When you purchase Domains By Proxy®'s services, you agree to all the terms and conditions contained in our Proxy Agreement, Privacy Policy and Anti-Spam Policy. If you can't agree to the terms contained in our agreements, do not use our services. We reserve the right to revise our agreements at anytime.

**Prohibitions:** Domains By Proxy® is not intended to be used to protect your identity if you:

- Transmit spam, viruses or harmful computer programs;
- Violate the law or infringe a third party's trademark or copyright;
- Engage in morally objectionable activities, including but not limited to those which are child pornographic, defamatory, abusive, harassing, obscene, racist, or otherwise objectionable.

**Protections:** Registrations are insured against loss by our Liability Insurance and backed by your Registrar's Guarantee!

## Who to Contact:

**Spam Complaints:** If you believe a domain registration we hold is spamming you, we want to know Please click here

**Copyright/Trademark Complaints(Content):** If you believe a domain registration we hold is infringing on your copright or trademark, please click here

**Trademark Complaints (Domain Name Only):** If you believe a domain registration we hold is infringing on your trademark, please click here

**Morally Objectionable Content Complaints:** If you believe a domain registration we hold contains morally objectionable material, please click here

**Defamation/Libel Complaints:** If you believe a domain registration we hold contains offending content such as defaming or libelous statements, please click here

If you are one of our customers and need support, please click here

**If you are in law enforcement, click here**
**For our subpoena policies, click here**

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All rights reserved.
U.S. Pat. No. 7,130,878

# *DOMAINS BY PROXY CIVIL SUBPOENA POLICY*

## DOMAINS BY PROXY CIVIL SUBPOENA POLICY

Domains by Proxy 's Privacy Policy prohibits the release of customer or account information without express permission from the customer, except when required by law, to conform to the edicts of the law, or to comply with legal process properly served on Domains by Proxy or one of its affiliates.

If you seek the identity or account information of a Domains by Proxy customer in connection with a civil legal matter, you must fax, mail, or serve Domains by Proxy with a valid subpoena.

**Submission of Subpoenas**

Domains by Proxy is headquartered in Scottsdale, Arizona and all civil subpoenas should be served at that location or mailed to:

Compliance Department
Domains by Proxy
15111 N. Hayden Road
Suite 160
PMB 353
Scottsdale, Arizona
85260

Alternatively, the civil subpoena can be faxed to:

480.624.2546
Attn: Compliance Department
Notice to Customer and Response Time

Upon the receipt of a valid civil subpoena, Domains by Proxy will promptly notify the customer whose information is sought via e-mail or U.S. mail. If the circumstances do not amount to an emergency, Domains by Proxy will not immediately produce the customer information sought by the subpoena and will provide the customer an opportunity to move to quash the subpoena in court. Domains by Proxy reserves the right to charge an administration fee to the customer by charging the Payment Method the customer has on file with Domains by Proxy .

**Fees for Subpoena Compliance**

Domains by Proxy will charge the person or entity submitting the civil subpoena for costs associated with subpoena compliance. Payment must be made within thirty (30) days from the date of receipt of the Domains by Proxy invoice. Checks should be made out to Domains by Proxy

Domains by Proxy 's subpoena compliance costs are as follows:

- Research - $75.00/hour
- Federal Express - Cost as Billed
- Copies - $.25/page

**Policies Regarding E-mail**

Domains by Proxy will not produce the content of e-mail, as the Electronic

Communications Privacy Act, 18 U.S.C. §2701 et seq., prohibits an electronic communications service provider from producing the contents of electronic communications, even pursuant to subpoena or court order, except in limited circumstances. Domains by Proxy 's e-mail servers do not retain deleted or sent e-mail. However, deleted e-mail may be recoverable from back-up servers for a period of up to thirty (30) days.

Domains by Proxy reserves the right to request a copy of the complaint and any supporting documentation that demonstrates how the Domains by Proxy e-mail address is related to the pending litigation and the underlying subpoena.

Revised: 8/25/05
Copyright © 2005 All Rights Reserved.

## *DOMAINS BY PROXY*
## *DOMAINS BY PROXY CRIMINAL SUBPOENA POLICY*

Domains by Proxy 's Privacy Policy prohibits the release of customer or account information without express permission from the customer, except when required by law, to conform to the edicts of the law, or to comply with legal process properly served on Domains by Proxy or one of its affiliates.

If you seek the identity or account information of a Domains by Proxy customer in connection with a criminal matter, and you are a member of the law enforcement community, you must fax, mail, or serve Domains by Proxy with a valid subpoena.

**Submission of Subpoenas**

Domains by Proxy is headquartered in Scottsdale, Arizona and all civil subpoenas should be served at that location or mailed to:

Compliance Department
Domains by Proxy
15111 N. Hayden Road
Suite 160
PMB 353
Scottsdale, Arizona
85260

Alternatively, the criminal subpoena can be faxed to:

480.624.2546
Attn: Compliance Department
Notice to Customer and Response Time

p] Domains by Proxy will not produce the content of e-mail, as the Electronic Communications Privacy Act, 18 U.S.C. §2701 et seq., prohibits an electronic communications service provider from producing the contents of electronic communications, even pursuant to subpoena or court order, except in limited circumstances. Domains by Proxy 's e-mail servers do not retain deleted or sent e-mail. However, deleted e-mail may be recoverable from back-up servers for a period of up to thirty (30) days.

Domains by Proxy reserves the right to request a copy of the complaint and any supporting

documentation that demonstrates how the Domains by Proxy e-mail address is related to the pending investigation and the underlying subpoena.

Revised: 8/25/05

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# 2007 FOR PROFIT CORPORATION ANNUAL REPORT

**FILED**
**Feb 05, 2007 8:00 am**
**Secretary of State**
02-05-2007 90092 036 ****150.00

DOCUMENT # P03000036143

1. Entity Name
IMARKETING CONSULTANTS, INC.

600112339

01132007 Chg-P CR2E034 (12/06)

| Principal Place of Business | Mailing Address |
|---|---|
| 1200 NW 17TH AVENUE<br>SUITE 1<br>DELRAY BEACH, FL 33445 | 1200 NW 17TH AVENUE<br>SUITE 1<br>DELRAY BEACH, FL 33445 |

| 2. Principal Place of Business - No P.O. Box # | 3. Mailing Address |
|---|---|
| Suite, Apt. #, etc. | Suite, Apt. #, etc. |
| City & State | City & State |
| Zip / Country | Zip / Country |

4. FEI Number 04-3749501 ☐ Applied For ☐ Not Applicable

5. Certificate of Status Desired ☐ $8.75 Additional Fee Required

| 6. Name and Address of Current Registered Agent | 7. Name and Address of New Registered Agent |
|---|---|
| ROBERT D. CLOUSE<br>94 CITRUS PARK LANE<br>BOYNTON BEACH, FL 33436 | Name<br>Street Address (P.O. Box Number is Not Acceptable)<br>City FL Zip Code |

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.

SIGNATURE _____ DATE

**FILE NOW!! FEE IS $150.00**
**After May 1, 2007 Fee will be $550.00**

9. Election Campaign Financing Trust Fund Contribution. ☐ $5.00 May Be Added to Fees

| 10. OFFICERS AND DIRECTORS | | | 11. ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS IN 11 | | |
|---|---|---|---|---|---|
| TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | PTD<br>CLOUSE, ROBERT D<br>1200 NW 17TH AVENUE, SUITE 1<br>DELRAY BEACH, FL 33446 | ☐ Delete | TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Change ☐ Addition |
| TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | SV<br>SLOAT, MICHELLE L<br>1200 NW 17TH AVENUE, SUITE 1<br>DELRAY BEACH, FL 33445 | ☐ Delete | TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Change ☐ Addition |
| TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Delete | TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Change ☐ Addition |
| TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Delete | TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Change ☐ Addition |
| TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Delete | TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Change ☐ Addition |
| TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Delete | TITLE / NAME / STREET ADDRESS / CITY-ST-ZIP | | ☐ Change ☐ Addition |

12. I hereby certify that the information supplied with this filing does not qualify for the exemption contained in Chapter 119, Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears in Block 10 or Block 11 if changed, or on an attachment with an address, with all other like empowered.

SIGNATURE: Michelle R. Clouse 1/30/07 561-265-7711 x11
SIGNATURE AND TYPED OR PRINTED NAME OF REQUIRED OFFICER OR DIRECTOR — Date — Daytime Phone #

EXHIBIT "D"

# Marketing Consultants

privacy :: terms & conditions :: Europe/safe harbor

*At the end of the day, it's all about the results!*

about us | services | online tracking | contact us

iMarketing Consultants Corporate Info:
1300 NW 17th Ave.
Suite 218
Delray Beach, FL 33445

Contact Phone: 561-265-0711
Fax: 561-423-2256
Email: Marketing@imarketingconsult.com

**Please fill out this form so we can direct your inquiry to the appropriate person. Thank you.**

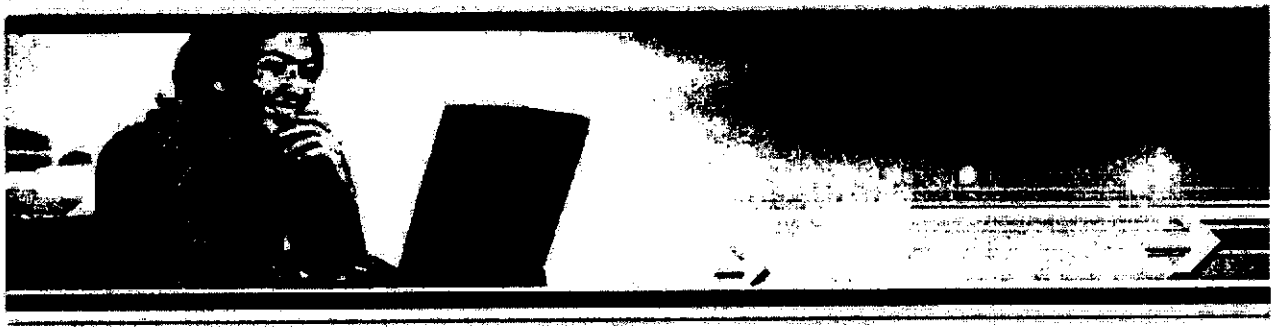
| | | | |
|---|---|---|---|
| First Name: | | Last Name: | |
| Title: | | Company: | |
| Website: | | Email: | |
| Phone: | | Fax: | |
| Address: | | City: | |
| State/Province: | | Zip/Postal Code: | |
| Is there an associated Request for Proposal (RFP)? | | | |

Comments:

Send | Reset

Copyright © 2007 Marketing Consultants Inc. All rights reserved.

EXHIBIT "E"



**1. Copy Approval**

Advertiser must deliver to IMarketing Consultants, Inc. ("IMarketing Consultants Consultants") the content of the advertisement Advertiser is contracting IMarketing Consultants to broadcast (the "Copy") no less than three (3) days prior to the desired email broadcast date. All Copy shall be subject to IMarketing Consultants' approval. IMarketing Consultants reserves the right to reject any Copy that advertises or promotes any product or service involving illegal activity, illegal products, illegal product paraphernalia, sexual paraphernalia, adult films or other media, weapons, illicit activities, chain letters, pyramid fund raising, or similar types of material. By reserving this right, IMarketing Consultants shall not be legally obligated for any failure to advise Advertiser of the nature of any such Copy.

**2. Details of Broadcast**

The email messages broadcast by IMarketing Consultants shall identify the source of the recipient's data collection and shall contain an opt-out feature that allows the recipient to electronically communicate his desire to be removed from the IMarketing Consultants (or affiliate) database.

**3. Hardware, Software and Database**

IMarketing Consultants shall obtain and maintain the computer hardware and software necessary to perform its obligations under these Terms and Conditions. Such hardware and software shall not be dedicated hardware or software. Nothing in these Terms and Conditions shall grant any right, title or interest in or to the IMarketing Consultants (or affiliate) database, hardware or software.

**4. Payment**

Advertiser shall pay in full the fees charged by IMarketing Consultants on the invoice by the date due.

a. If advertiser is doing an email campaign, payment is due before the broadcast.
b. If advertiser is using iMarketing Consultants for HTML creative design, payment is due before any work is done.
c. Terms must be approved by Management and is subject to credit check.

iMarketing Consultants does not offer refund of any type (see **LIMITATION OF LIABILITY**). If Advertiser fails to pay the full amount of the charges detailed in any IMarketing Consultants invoice within thirty (30) days of such invoice, the unpaid amounts of such invoice shall accrue interest at a rate of 18% per annum. Additionally, Advertiser agrees to pay all of IMarketing Consultantss' cost of collection of such charges, including without limitation IMarketing Consultants' reasonable attorneys' fees if applicable.

**5. Late Fees**

In addition to the terms described in Section 4, if Advertiser fails to pay the full amount of the charges detailed in any IMarketing Consultants invoice within thirty (30) days of such invoice, Advertiser shall pay IMarketing Consultants a Late Fee in the amount of 5% of the charges detailed in such IMarketing Consultants invoice.

**6. LIMITATION OF LIABILITY**

IMARKETING CONSULTANTS CAN NOT GUARENTEE RESULTS. IN NO EVENT SHALL IMARKETING CONSULTANTS BE LIABLE FOR INDIRECT, SPECIAL, EXEMPLARY, CONSEQUENTIAL, INCIDENTAL OR PUNITIVE LOSS, DAMAGE OR EXPENSE (INCLUDING LOST PROFITS). THE LIMIT OF IMARKETING CONSULTANTS'S LIABILITY (WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY IN TORT OR BY STATUTE OR OTHERWISE) FOR ANY AND ALL CLAIMS RELATED TO THESE TERMS AND CONDITIONS SHALL NOT IN THE AGGREGATE EXCEED THE FEES PAID TO IMARKETING CONSULTANTS UNDER THE INVOICE.

**7. Indemnification**

Advertiser shall indemnify, defend and hold harmless IMarketing Consultants against all third party claims, actions and liabilities (including all reasonable costs, expenses and attorneys' fees) arising from or in connection with (a) Advertiser's product(s), services or the content of the Advertiser's copy, including without limitation any claim alleging any violation of any third party's intellectual property rights; or (b) Advertiser's breach of any of its obligations, representations or warranties under these Terms and Conditions. IMarketing Consultants shall promptly notify Advertiser in writing of all such claims and shall accommodate Advertiser's reasonable requests for cooperation and information.

**8. WARRANTIES**

IMARKETING CONSULTANTS MAKES NO WARRANTY WHATSOEVER AS TO THE EMAIL ADVERTISEMENTS, EXPRESS OR IMPLIED. THIRD PARTIES PROVIDE THE EMAIL ADVERTISEMENTS ON AN "AS IS" BASIS. IMARKETING CONSULTANTS EXPRESSLY DISCLAIMS ANY WARRANTIES THAT COULD BE IMPLIED IN CONTRACT, IN LAW OR IN EQUITY, INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, QUALITY, ACCURACY, COMPLETENESS, RELIABILITY OR PERFORMANCE OR ARISING FROM USAGE OF TRADE, COURSE OF DEALING OR COURSE OF PERFORMANCE.

**9. Force Majeure**

Neither party shall be liable for delays or nonperformance of these Terms and Conditions caused by strike, fire or accidents, nor shall either party be liable for delay or nonperformance caused by lack of availability of materials, fuel or utilities or for any other cause beyond its control.

**10. Assignment**

Neither party may assign its rights or obligations under these Terms and Conditions without the prior written consent of the other party.

**11. Relationship of the Parties**

The parties are independent contracting entities, and there is no partnership or agency relationship between them.

**12. Entire Agreement**

Except as expressly modified or supplemented by a writing executed by both parties, the Terms and Conditions described herein and in the invoice specifically incorporating these Terms and Conditions are the only representations, warranties, and understandings between the parties with respect to the products and/or services described herein. In the event of any conflict between these Terms and Conditions and any other document (including, without limitation, the Invoice and any Advertiser invoice, insertion order, or purchase order), the provisions of these Terms and Conditions shall govern. The waiver of any right, breach, or default shall not constitute a waiver of any other right or of any subsequent breach or default.

**13. Disputes**

Each party hereby waives any right to a trial by jury in the event of any controversy or claim relating to these Terms and Conditions. The law of the State of Florida shall apply to any resulting claim or action, and the exclusive jurisdiction and venue for any proceeding brought pursuant to these Terms and Conditions shall be Palm Beach County, Florida.

**14. Severability**

Should any provisions of these Terms and Conditions be found invalid or unenforceable, all such provisions are to be enforced to the maximum extent permitted by law, and beyond such extent shall be deemed severed from these Terms and Conditions without affecting the validity or enforceability of any other provision

**15. Headings**

The headings of these Terms and Conditions are for convenience only and shall not be used to construe the meaning of this Agreement.

[redacted]

DomainTools

**IP Information for 65.240.228.67**

**IP Location:** United States Delray Beach Imarketing Consultants
**Resolve Host:** mx03.ultra-mx.com
**IP Address:** 65.240.228.67 W R P D T
**Blacklist Status:** Clear

**Whois Record**

```
OrgName:     MCI Communications Services, Inc. d/b/a Verizon Business
OrgID:       MCICS
Address:     22001 Loudoun County Pkwy
City:        Ashburn
StateProv:   VA
PostalCode:  20147
Country:     US

NetRange:    65.240.0.0 - 65.253.255.255
CIDR:        65.240.0.0/13, 65.248.0.0/14, 65.252.0.0/15
NetName:     UUNET65-2
NetHandle:   NET-65-240-0-0-1
Parent:      NET-65-0-0-0-0
NetType:     Direct Allocation
NameServer:  AUTH03.NS.UU.NET
NameServer:  AUTH00.NS.UU.NET
Comment:     ADDRESSES WITHIN THIS BLOCK ARE NON-PORTABLE
RegDate:     2002-02-13
Updated:     2006-12-14

RTechHandle: OA12-ARIN
RTechName:   UUnet Technologies, Inc., Technologies
RTechPhone:  +1-800-900-0241
RTechEmail:  [redacted]

OrgAbuseHandle: ABUSE3-ARIN
OrgAbuseName:   abuse
OrgAbusePhone:  +1-800-900-0241
OrgAbuseEmail:  [redacted]

OrgNOCHandle: OA12-ARIN
OrgNOCName:   UUnet Technologies, Inc., Technologies
OrgNOCPhone:  +1-800-900-0241
OrgNOCEmail:  [redacted]

OrgTechHandle: SWIPP-ARIN
OrgTechName:   swipper
OrgTechPhone:  +1-800-900-0241
OrgTechEmail:  [redacted]
```

EXHIBIT "F"

```
CustName:    IMarketing Consultants
Address:     1300 NW 17th Ave Ste 218
City:        Delray Beach
StateProv:   FL
PostalCode:  33445
Country:     US
RegDate:     2006-02-27
Updated:     2006-02-27

NetRange:    65.240.228.64 - 65.240.228.127
CIDR:        65.240.228.64/26
NetName:     UU-65-240-228-64
NetHandle:   NET-65-240-228-64-1
Parent:      NET-65-240-0-0-1
NetType:     Reassigned
Comment:     Addresses within this block are non-portable.
RegDate:     2006-02-27
Updated:     2006-02-27

RTechHandle: OA12-ARIN
RTechName:   UUnet Technologies, Inc., Technologies
RTechPhone:  +1-800-900-0241
RTechEmail:  [illegible]

OrgAbuseHandle: ABUSE3-ARIN
OrgAbuseName:   abuse
OrgAbusePhone:  +1-800-900-0241
OrgAbuseEmail:  [illegible]

OrgNOCHandle: OA12-ARIN
OrgNOCName:   UUnet Technologies, Inc., Technologies
OrgNOCPhone:  +1-800-900-0241
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